

Order

Michigan Supreme Court
Lansing, Michigan

April 28, 2008

Clifford W. Taylor,
Chief Justice

135277(59)

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

IN RE BARBARA HROBA TRUST.

LUANN HROBA,
Petitioner-Appellant,

v

SC: 135277
COA: 266783
Oakland Probate Ct:
2004-294178-TV

GARY HROBA,
Respondent-Appellee.

On order of the Court, the motion for reconsideration of this Court's February 6, 2008 order is considered, and it is GRANTED. On reconsideration, we MODIFY our order dated February 6, 2008. For the reasons stated in that order, the Court of Appeals erred in reversing the Oakland County Probate Court's judgment on res judicata grounds. But rather than reinstate the probate court's judgment, we REMAND this case to the Court of Appeals for consideration of the remaining issues not addressed by that court during its initial review of this case.

We do not retain jurisdiction.



d0421

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

April 28, 2008

Corbin R. Davis

Clerk